

1 BILL NO. R-84-1-07

2 DECLARATORY RESOLUTION NO. R- 05-84

3 A DECLARATORY RESOLUTION designating  
4 an "Economic Revitalization Area"  
under I.C. 6-1.1-12.1.

5 WHEREAS, Petitioner has duly filed its petition dated  
6 November 9, 1983, to have the following described property  
7 designated and declared an "Economic Revitalization Area" under  
8 Division 6, Article II, Chapter 2 of the Municipal Code of the  
9 City of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-  
10 12.1., to-wit:

11 Part of the West half of the Northwest  
12 Quarter of Section 20, Township 31  
North, Range 13 East, Allen County,  
Indiana, more particularly described  
13 as follows, to-wit:

14 Beginning on the North line of said  
15 Northwest Quarter at a point situated  
208.7 feet, S 90°-00' W (deed bearing  
and is used as the basis for the bear-  
ings in this description) from the  
16 Northeast corner of said West half;  
17 thence S 00°-02' E (recorded S 00°-10' E)  
and parallel to the East line of said  
West half, on and along a line esta-  
blished by an existing line fence and  
monuments found, a distance of 596.8  
feet to a post found; thence S 90°-  
00' W and parallel to the North line  
of said Northwest Quarter, a distance  
of 369.8 feet (recorded 369.39 feet);  
thence N 00°-07' E, on and along a  
line being partially defined by the  
East line of Parker Cemetery, being  
a 2.4 acre tract with boundaries es-  
tablished in two deeds both having  
been recorded in Deed Record 366,  
page 221 in the Office of the Re-  
corder in Allen County, Indiana, a  
distance of 596.8 feet to the North-  
east corner of said Parker Cemetery,  
being a point on the North line of  
said Northwest Quarter; thence  
N 90°-00' E, on and along said North  
line, being also the centerline of  
St. Joe Center Road, a distance of  
188.2 feet to the Northwest corner  
of a tract of land conveyed to Lassus  
Brothers Oil, Inc. in Deed Reocrd 733,  
page 527 in the Office of the Recorder  
of Allen County, Indiana; thence S 00°-  
02' E (recorded S 00°-10' E), on and along  
the West line of said Lassus Brothers  
Oil, Inc. tract, and parallel to the East

1       Page Two

2  
3       line of said West Half, a distance of  
4       170.0 feet to the Southwest corner  
5       of said tract; thence N 90°-00' E, on  
6       and along the South line of said Lassus  
7       Brothers Oil, Inc. tract and parallel  
8       to said North line, a distance of  
9       150.0 feet to the Southeast corner of  
10      said tract; thence N 00°-02' W (recorded  
11      N 00°-10' W), on and along the East  
12      line of said Lassus Brothers Oil, Inc.  
13      tract and parallel to the East line of  
14      said West Half, a distance of 170.0 feet  
15      to the Northeast corner of said tract,  
16      being a point on the North line of said  
17      Northwest Quarter; thence N 90°-00' E,  
18      on and along said North line, being also  
19      the centerline of St. Joe Center Road,  
20      a distance of 30.0 feet to the point of  
21      beginning, containing 4.470 acres of  
22      land, subject to legal right-of-way for  
23      St. Joe Center Road, subject to a legal  
24      drainage easement for Shoppman Ditch  
25      and subject to all other easements of  
26      record;

27  
28      said property more commonly known as 3428 St. Joe Center Road,  
29      Fort Wayne, Indiana 46815; and

30           WHEREAS, it appears that said petition should be pro-  
31      cessed to final determination in accordance with the provisions  
32      of said Division 6.

33           NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
34      THE CITY OF FORT WAYNE, INDIANA:

35           SECTION 1. That, subject to the requirements of Section  
36      4, below, the property hereinabove described is hereby designated  
37      and declared an "Economic Revitalization Area" under I.C. 6-1.1-  
38      12.1. Said designation shall begin upon the effective date of  
39      the Confirming Resolution referred to in Section 3 of this Resolu-  
40      tion and shall continue for one (1) year thereafter. Said desig-  
41      nation shall terminate at the end of that one-year period.

42           SECTION 2. That upon adoption of this Resolution:

43           (a) Said Resolution shall be filed with the Allen  
44           County Assessor;

1           Page Three

2

3           (b) Said Resolution shall be referred to the Committee

4           on Finance and shall also be referred to the De-

5           partment of Economic Development requesting a re-

6           commendation from said department concerning the

7           advisability of designating the above designated

8           area an "Economic Revitalization Area";

9

10          (c) Common Council shall publish notice in accordance

11          with I.C. 5-3-1 of the adoption and substance of

12          this Resolution and setting this designation as an

13          "Economic Revitalization Area" for public hearing;

14          (d) If this Resolution involves an area that has al-

15          ready been designated an allocation area under

16          I.C. 36-7-14-39, then the Resolution shall be re-

17          ferred to the Fort Wayne Redevelopment Commission

18          and said designation as an "Economic Revitalization

19          Area" shall not be finally approved unless said

20          Commission adopts a resolution approving the peti-

tion.

21

22          SECTION 1. That this Resolution shall be subject to

23          being confirmed, modified and confirmed or rescinded after public

24          hearing and receipt by Common Council of the above described re-

commendations and resolution, if applicable.

25

26          SECTION 4. That this Resolution shall be in full force

27          and effect from and after its passage and any and all necessary

approval by the Mayor.

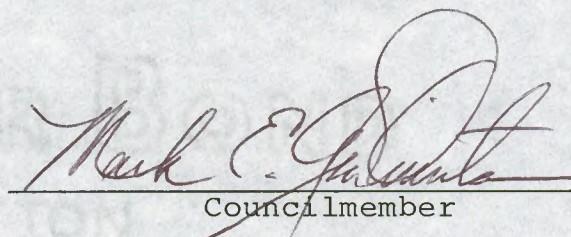
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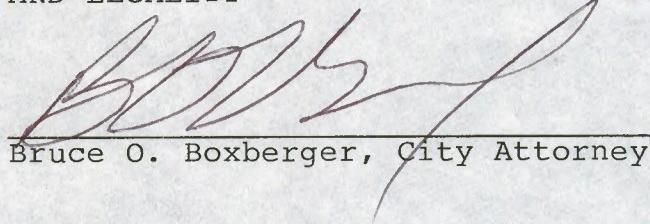
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31

32

  
\_\_\_\_\_  
Mark E. Gruenwald  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
\_\_\_\_\_  
Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.

DATE: \_\_\_\_\_

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Sixty, seconded by Eleven, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	—	—	—	—
<u>BRADBURY</u>	✓	—	—	—	—
<u>BURNS</u>	✓	—	—	—	—
<u>EISBART</u>	✓	—	—	—	—
<u>GiaQUINTA</u>	✓	—	—	—	—
<u>HENRY</u>	✓	—	—	—	—
<u>REDD</u>	✓	—	—	—	—
<u>SCHMIDT</u>	✓	—	—	✓	—
<u>STIER</u>	✓	—	—	—	—
<u>TALARICO</u>	✓	—	—	—	—

DATE: 1-10-84

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. B-05-84  
on the 10th day of January, 1984.

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Bay-L-Bark  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 11th day of January, 1984,  
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of Jan.,  
1984, at the hour of 12:30 o'clock P.M., E.S.T.

Win Moses Jr.  
WIN MOSES, JR., MAYOR

No. 8 November 9 1983

Received from Neil Kobi

Fifty and 00/<sub>100</sub> Dollars

TAX ABATEMENT APPLICATION FEE

\$ 50.00

John Ronsal

C-106

November 9 1983

71-1232  
749

PAY TO THE ORDER OF CITY OF FORT WAYNE  
FIFTY AND 00/<sub>100</sub>

\$ 50.00

DOLLARS



ANTHONY WAYNE BANK  
FORT WAYNE, INDIANA 46802

FOR

00749123280

0230026 51P

Neil H. Kobi  
John F. Ronsal



APPLICATION FOR DESIGNATION  
AS AN ECONOMIC REVITALIZATION AREA  
-REAL ESTATE TAX ABATEMENT-

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Summit City Investments

2. Owner(s) Neil Kobi, Sabah Saud,

3. Address of Owner(s) P.O. Box 10644

Fort Wayne, IN 46853

4. Telephone Number of Owner(s) (219) 422-2478

5. Relationship of Applicant to Owner(s) if any Owner

6. Address of Applicant 220 West Fleming Avenue

Fort Wayne, IN 46807

7. Telephone number of Applicant (219 ) 422-2478

8. Address of Property Seeking Designation 3428 St. Joe Center Road

Fort Wayne, IN 46815

9. Legal Description of Property Proposed for Designation (may be attached)

Attached

10. Township St. Joe

11. Taxing District 75

12. Current Zoning B-3-B

13. Variance Granted (if any) \_\_\_\_\_

14. Current Use of Property

a. How is property presently used? bare land

\_\_\_\_\_

b. What Structure(s) (if any) are on the property? None

\_\_\_\_\_

b. What is the condition of this structure/these structures? \_\_\_\_\_

N/A

15. Current Assessed Value of Real Estate \_\_\_\_\_

a. Land \$2,700.00

b. Improvements -0-

16. Amount of Total Property Taxes Owed During the Immediate Past Year

\$196.36

17. Description of Proposed Improvements to the Real Estate \_\_\_\_\_

13 Buildings used for self-storage; each building containing 5440 square feet

\_\_\_\_\_

\_\_\_\_\_

18. Development Time Frame

a. When will physical aspects of development or rehabilitation begin?

November 1983

b. When is completion expected? February, 1984

19. Cost of Project (not including land costs) \$800,000.00

20. Permanent Jobs Resulting from Completed Project 4

a. How many permanent jobs will be employed at or in connection with the project after it is completed? Four (4)

lation of this new manufacturing equipment?

b. What is the nature of those jobs? bookkeeper, maintenance, property manager and consultant

c. Anticipated time frame for reaching employment level stated above?

February 1984

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) None.

However, developer will install a public sewer extension.

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? There have been several attempts to develop this property

with no success. This is the first project to have any success and quite probably the only substantial development that could ever take place on this site. The success of this development will lead to future benefits for the community in continuing tax revenues. We feel that the whole community is an economically depressed area and that the development of this site will create tax revenues and jobs that would not otherwise have been available to the community.

23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? It will increase the number of people employed fulltime and add a continuous increased tax base.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof.

Perpetual Maintenance Agreement - Attached

- ## 25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?      YES      X      NO

- ## 26. Financing on Project

What is the status of financing connected with this project?

Private financing for this project is already in place.

I hereby certify that the information and representation on this Application are true and complete.

*Neil H. Kobi*

Signature(s) of Owners

*Dabah Dabah*

NOVEMBER 9, 1983

Date

Nov/9/83

---

Information Below to be filled in by Department of Economic Development:

Date Application Received:

---

Date Application Forwarded to Law Dept:

---

Date of Legal Notice Publication:

---

Date of Public Hearing:

---

Date of Building Permit:

---

Approved or Denied? Date:

---

Allocation Area:

---

COVENANT

In consideration for the City of Fort Wayne Board of Zoning Appeals approving the use for the following described property, to-wit: (legal description), SUMMIT CITY INVESTMENTS does agree to landscape all areas of the property abutting residentially zoned areas in a manner satisfactory to the Board of Zoning Appeals and to maintain the aforementioned landscaping in an acceptable and aesthetically pleasing condition so long as those contiguous areas remain residentially zoned and can remove the plant portion of said landscaping at its option if:

- (1) The ordinance(s) no longer require said landscaping; or
- (2) The contiguous property is no longer zoned residential; or
- (3) If for any reason this portion of the landscaping is no longer required by the City of Fort Wayne.
- (4) This covenant shall run with the land.

SUMMIT CITY INVESTMENTS

By

11/2/83

(Need all partners required to bind company).

This instrument prepared by:

SABATH JAHID

ZOHRAK TAZIAN, PE & LS  
president  
JERRY K. WALKER, PE & LS  
vice-president

**Zktazian**

ASSOCIATES, INC.  
345 WEST WAYNE STREET  
SUITE 202  
FORT WAYNE, INDIANA 46802  
PHONES: 219-424-3232  
219-426-0003

## CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of ALLEN County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

### DESCRIPTION OF REAL ESTATE

See Page 2 for Legal Description.

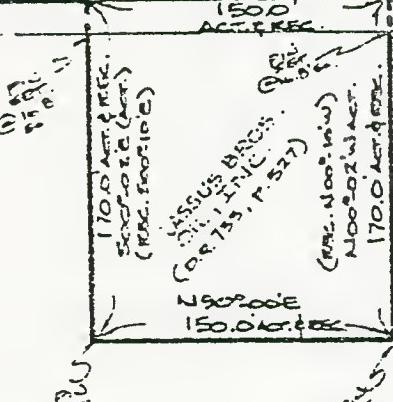
ST. JOE CENTER ROAD  
N LINE, N.W.Y., SEC. 20, T31N, R18E.

N.E. COR, W.K.,  
N.W.Y., SEC. 20,  
T31N, R18E

ACT. REC.  
N90°00' E  
188.2'

ACT. REC.  
N90°00' E  
300'

SOC. REC.  
205.7'  
ACT. REC.



AREA = 4.470 ACRES

PO. E. OF 14 BACHT  
1071 SSW & 3SE

369.8' ACT.  
(REC. 369.39')  
5900.00W  
ACT. REC.

596.8' ACT. REC.  
500.02'E ACT.  
(REC. 500.10E)

E LINE, N.W.Y., SEC. 20, T31N, R18E.

SCALE:  
1-100'

REMARKS FROM  
Surveyor: Zohrab K. Tazian  
Date: 10-17-83  
EXC:

In my capacity on the 10-17-83 day of October, 1983 that the above survey is correct  
and free from encroachment by adjoining land owners.

*Zohrab K. Tazian*

Ex. 14





ZOHRAB K. TAZIAN, PE & LS  
president  
JERRY K. WALKER, PE & LS  
vice-president

ASSOCIATES, INC.  
345 WEST WAYNE STREET  
SUITE 202  
FORT WAYNE, INDIANA 46802  
PHONES: 219/424-3232  
219/426-0003

## CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's Office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

### DESCRIPTION OF REAL ESTATE

Part of the West Half of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the North line of said Northwest Quarter at a point situated 208.7 feet, S 90°-00' W (deed bearing and is used as the basis for the bearings in this description) from the Northeast corner of said West Half; thence S 00°-02' E (recorded S 00°-10' E) and parallel to the East line of said West Half, on and along a line established by an existing line fence and monuments found, a distance of 596.8 feet to a post found; thence S 90°-00' W and parallel to the North line of said Northwest Quarter, a distance of 364.8 feet (recorded 369.39 feet); thence N 00°-07' E, on and along a line being partially defined by the East line of Parker Cemetery, being a 2.4 acre tract with boundaries established in two deeds both having been recorded in Deed Record 366, page 221 in the Office of the Recorder of Allen County, Indiana, a distance of 596.8 feet to the Northeast corner of said Parker Cemetery, being a point on the North line of said Northwest Quarter; thence N 90°-00' E, on and along said North line, being also the centerline St. Joe Center Road, a distance of 188.2 feet to the Northwest corner of a tract of land conveyed to Lassus Brothers Oil, Inc. in Deed Record 733, page 527 in the Office of the Recorder of Allen County, Indiana; thence S 00°-02' E (recorded S 00°-10' E), on and along the West line of said Lassus Brothers Oil, Inc. tract, and parallel to the East line of said West Half, a distance of 170.0 feet to the Southwest corner of said tract; thence N 90°-00' E, on and along the South line of said Lassus Brothers Oil, Inc. tract and parallel to said North line, a distance of 150.0 feet to the Southeast corner of said tract; thence N 00°-02' W (recorded N 00°-10' W), on and along the East line of said West Half, a distance of 170.0 feet to the Northeast corner of said tract, being a point on the North line of said Northwest Quarter; thence N 90°-00' E, on and along said North line, being also the centerline of St. Joe Center Road, a distance of 30.0 feet to the point of beginning, containing 4.470 acres of land, subject to legal right-of-way for St. Joe Center Road, subject to a legal drainage easement for Shoppman Ditch and subject to all other easements of record.

### EXHIBIT "A"

I hereby certify on the 11th day of September, 1977 that the above survey is correct.  
Surveyed for: St. Joe Road Property Zohrab K. Tazian/Jerry K. Walker  
Survey No.: 11-111-A value K. Tazian





# The City of Fort Wayne

January 6, 1984

Mark GiaQuinta, Chairman of Finance  
Fort Wayne Common Council  
One Main Street  
Fort Wayne, IN 46802

Re: Tax Abatement Application For Summit City Investors

Dear Mr. GiaQuinta:

On November 9, 1983, an application for tax abatement was filed in the office of the Department of Economic Development requesting designation of the property located at 3428 St. Joe Center Road as an "Economic Revitalization Area" for the purposes of tax abatement. The application was then referred to the Law Department for drafting of a Declaratory Resolution.

#### Action

The Department of Economic Development conducted a staff review of the project on November 29, 1983. A formal review of the site and an interview with Mr. Sabah Saud was conducted.

#### Recommendation

Based upon the above action, the Department of Economic Development is recommending to the Common Council a "Do Pass" to your Declaratory Resolution designating:

"SEE ATTACHED"

As an "Economic Revitalization Area" for purposes of I.C. 6-11-12.1, as enacted by the General Assembly of the State of Indiana.

Mark GiaQuinta  
January 6, 1984  
Page 2

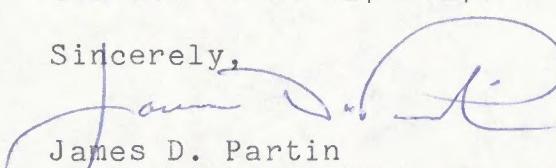
Rationale

The above stated recommendation is based upon the following rationale:

1. Lack of development
2. Cessation of growth
3. Effective utilization of vacant under-utilized land
4. Improvement of the physical appearance of the city
5. Neighborhood conservation and stabilization

If you need any additional information, please do not hesitate to contact me at 427-1127.

Sincerely,

  
James D. Partin  
Business Planning Specialist  
Department of Economic Development

hjk

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

Q-84-01-07

TITLE OF ORDINANCE Declaratory ResolutionDEPARTMENT REQUESTING ORDINANCE Economic DevelopmentSYNOPSIS OF ORDINANCE A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1.Said property more common known as 3428 St. Joe Center Rd.(Summit City Investments)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_EFFECT OF PASSAGE Previously undeveloped property will be utilized, creating tax revenues and jobs for the community.EFFECT OF NON-PASSAGE Opposite of the above.MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$800,000.00 (not including land cost)

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_